

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**GERALD RUHNOW and CONNIE  
RUHNOW,**

**Plaintiffs,**

**v.**

**LANE HEARD TRUCKING, LLC., et al,**

**Defendants.**

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

**CIVIL ACTION NO. 2:05 CV 527-F**

**LANE HEARD TRUCKING, LLC'S PROPOSED VOIR DIRE QUESTIONS**

Defendant Lane Heard Trucking, LLC ("Lane Heard Trucking"), by and through undersigned counsel submits the following proposed voir dire questions:

1. Do any of you know anything about the accident which has been described by the court as the accident involved in this lawsuit?
2. Have any of you ever witnessed an accident in this same area?
3. Have any of you or a member of your family ever been in an accident in this roadway (Hwy. 231)?
4. Have any of you ever given any thought to the fact that everything in this courtroom, in your homes, and basically that you use in your day-to-day life is delivered by 18-wheelers and their drivers?
5. Are any of you predisposed to be angry at 18-wheelers and/or their drivers?
6. Do any of you feel that since a truck driver of an 18-wheeler is being sued, the driver and/or his company should necessarily be required to pay some money? In other words, who simply feels that "it is always the 18-wheelers fault?"
7. Is there anyone who believes that since a defendant is here in this courtroom, that they must have done something wrong?
8. Have any of you ever been represented by any of the lawyers in this courtroom or their law firms?
9. Are any of you a friend, relative or acquaintance of Callen Sparrow, Stephen Heninger, Mac Freeman, Charles Ward, Murray Witt, Alex Holtsford, or Linda Ambrose?

10. Are any of you a friend, relative or acquaintance or have you ever had any personal or professional relationship with any of the following who may be witnesses or parties in this lawsuit:

- (a) Gerald Ruhnnow
- (b) Connie Ruhnnow
- (c) Randall Jackson
- (d) Gene Richardson
- (e) Christy Champion
- (f) Michael Adkins
- (g) Lane Heard
- (h) Marilyn Heard
- (i) Chris Bloomberg
- (j) Ronnie Perkins
- (k) Dr. James Cross
- (l) Dr. Barbara Latenser from Iowa City, Iowa
- (m) Corporal Jimmy Helms with the Alabama State Troopers
- (n) Officer Kevin Cook with the Alabama State Troopers
- (o) Will Marvin

11. Do any of you attend or are you members of either of the following churches:

- (a) Christy Champion's church
- (b) Michael Adkins church

12. Have you or any member of your family ever been involved in an automobile accident?

13. Have you or any member of your family ever suffered any injuries as a result of any type of accident?

14. Have you or any member of your family ever experienced any type burn injuries?

15. Under the law of the State of Alabama, you will be required to give the corporation defendant Lane Heard Trucking the same fair and unbiased consideration of all of the evidence in this case as you would give an individual who is a party in this lawsuit. Is there any one of you who feels they would not be able to treat a corporation defendant, such as Lane Heard Trucking, in the exact same manner that you would treat the individual parties in this lawsuit?

16. Have any of you ever witnessed an accident and, if so, did you make a call for emergency assistance?

17. Do you or any of your family members have now or ever had in the past a CDL (Commercial Driver's License)?

18. Do you or any of your family members own a motorcycle or drive motorcycles regularly?

19. If you have served on a previous jury, what was the outcome of the jury case?

20. Is there any one of you who feels that based on some prejudice you have towards trucking companies or truck drivers you would not be able to base a verdict in this case solely on the evidence presented from the witness stand and the law as directed and charged to you by the judge?

21. Under our system of justice, you cannot be swayed by sympathy. Do any of you feel that your sympathy for Mr. and/or Mrs. Ruhnow, as a person who allegedly suffered burn injuries or who was involved in an accident with an 18-wheeler will somehow sway you from your duty not to allow sympathy to influence your decision?

22. The parties in this case are entitled to a fair and impartial jury, free of any biases, prejudices, sympathies or dispositions that might aid one side or the other. Is there any one of you who does not understand that if you are selected as a juror in this case, you will be obligated by the law to make the decisions you are called upon to make solely on the basis of the evidence and the law as the court explains it to you?

23. Under our system of justice, the plaintiffs in this civil case, Mr. and Mrs. Ruhnow, as well as intervenor Northland Insurance Company, have the burden of proof and must prove all elements of their claims by a preponderance of the evidence; otherwise, they are not entitled to recover anything. Is there any one of you who, as a juror, would be unable to return a verdict for the defendant and against the plaintiffs, Mr. and Mrs. Ruhnow, as well as intervenor Northland Insurance Company, and award them nothing if they do not in fact prove their claims to your reasonable satisfaction from the evidence.

24. The plaintiffs, Mr. and Mrs. Ruhnow, and the intervenor plaintiff, Northland Insurance Company, will be allowed to put on their evidence first in this case. It may be some time before the defendants and counter-claimant Lane Heard Trucking has an opportunity to present their evidence. Can each of you promise this court that you will keep an open mind and hear all the evidence and the court's instructions before reaching your decision in this case in the event you are selected to serve on the jury?

25. Do any of you for any reason, no matter how personal or private, feel that you would not like to serve as a juror on this case?

Respectfully submitted,

/s/Katie L. Hammett  
J. BURRUSS RIIS (RIISJ8057)  
KATIE L. HAMMETT (HAMMK7587)  
Attorneys for Defendant,  
Lane Heard Trucking, L.L.C.,  
Email: [khammett@handarendall.com](mailto:khammett@handarendall.com)

OF COUNSEL:  
HAND ARENDALL, L.L.C.  
Post Office Box 123  
Mobile, Alabama 36601  
(251) 432-5511

#### **CERTIFICATE OF SERVICE**

I hereby certify that on the 16<sup>th</sup> day of January, 2007, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

J. Callen Sparrow, Esq.  
Attorney for Plaintiffs  
HENINGER GARRISON DAVIS, LLC  
2224 First Avenue North  
Birmingham, Alabama 35203  
[jcsparrow@hgdlawfirm.com](mailto:jcsparrow@hgdlawfirm.com)

Richard McConnell (Mac) Freeman, Jr.  
Attorney for Defendant Christy Leann Cl  
Rushton Stakely Johnston & Garrett PC  
PO Box 270  
Montgomery, AL 36101-0270  
[rmf@rsjg.com](mailto:rmf@rsjg.com)

Linda C. Ambrose, Esq.  
Counsel for Northland Insurance Co.  
Rogers & Associates  
3000 Riverchase Galleria, Suite 650  
Birmingham, AL 35244  
[lambrose@spt.com](mailto:lambrose@spt.com)

Alex L. Holtsford, Esq.  
Murry S. Whitt, Esq.  
NIX HOLTSFORD GILLILAND  
HIGGINS & HITSON, PC  
Post Office Box 4128  
Montgomery, Alabama 36103-4128  
[aholtsford@nixholtsford.com](mailto:aholtsford@nixholtsford.com)  
[MWhitt@nixholtsford.com](mailto:MWhitt@nixholtsford.com)

/s/Katie L. Hammett